

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALEB SMITH, INDIVIDUALLY AND AS CO-
SUCCESSOR-IN-INTEREST TO DECEDENT
CALEB SMITH JR., ET AL.,

Plaintiffs,

vs.

CITY OF HAYWARD, ET AL.,

Defendants.

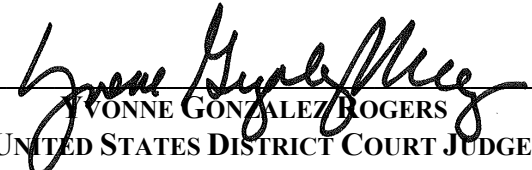
Case No. 4:21-cv-08467-YGR

**ORDER TO SHOW CAUSE WHY CASE SHOULD
NOT BE DISMISSED FOR FAILURE TO EFFECT
SERVICE OF PROCESS, AND VACATING CASE
MANAGEMENT CONFERENCE**

Plaintiffs filed this action on October 30, 2021. (Dkt. No. 1.) “If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). More than 90 days have elapsed, and plaintiffs have not filed proof of service of process on any of the defendants. Accordingly, plaintiffs are **ORDERED TO SHOW CAUSE**, in writing and on or before **March 4, 2022**, why this case should not be dismissed without prejudice under Rule 4(m). The case management conference set for February 28, 2022 is hereby **VACATED**.

IT IS SO ORDERED.

Dated: **February 22, 2022**


VONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE